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U.S. Citizenship
and Immigration
Services



FILE: WAC 02 216 50440 Office: CALIFORNIA SERVICE CENTER

Date: SEP 01 2004

IN RE: Petitioner:
Beneficiary:



PETITION: Immigrant Petition for Alien Worker as a Skilled Worker or Professional Pursuant to Section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The employment-based immigrant visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The petitioner seeks to classify the beneficiary as an employment-based immigrant pursuant to section 203(b)(3) of the Immigration and Nationality Act, (the Act), 8 U.S.C. § 1153(b)(3), as a skilled worker. The petitioner is a nursing registry firm. It sought to employ the beneficiary permanently in the United States as a registered nurse. The petitioner sought to qualify the beneficiary under the blanket labor certification procedure pursuant to 20 C.F.R. § 656.10, Schedule A, Group 1. The director determined that the petitioner had not established that it had the continuing financial ability to pay the beneficiary the proffered wage as of the priority date of the visa petition.

Review of CIS electronic records indicates that the beneficiary received permanent resident status on August 6, 2004, reference A057064064/WAC0422851948, based on admission as a skilled worker. Because the alien is already a lawful permanent resident, further pursuit of the instant matter is moot.

ORDER: The appeal is dismissed, based on the alien's lawful permanent resident status.